

ORDINANCE NO. ____-2010

**AN ORDINANCE OF THE MONROE COUNTY BOARD OF
COUNTY COMMISSIONERS AMENDING THE SUNSET
DATE FOR A-FRAME SIGNS IN SECTION 142-4(3)(d);
PROVIDING FOR SEVERABILITY; PROVIDING FOR
REPEAL OF INCONSISTENT PROVISIONS; PROVIDING
FOR TRANSMITTAL TO THE SECRETARY OF STATE
AND DEPARTMENT OF COMMUNITY AFFAIRS;
PROVIDING FOR CODIFICATION; PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, the Monroe County Board of County Commissioners makes the following Findings of Fact and Conclusions of Law:

1. At the January 28, 2009 Board of County Commissioners (BOCC) meeting, the BOCC directed the Department of Planning and Environmental Resources to review Chapter 142 Signs of the Monroe County Code.
2. During May of 2009 the Department of Planning and Environmental Resources conducted three (3) public workshops to receive public input regarding sign regulation revisions.
3. Monroe County has adopted land use policies and objectives in a comprehensive plan to guide policy on building and land use regulations, and to promote health, safety, and general welfare.
4. The BOCC approved Ordinance No. 031-2009 in the Fall of 2009 amending Section 142 Signs of the Monroe County Land Development Code. Among the provisions approved, A-frame signs were permitted with a "sunset" date of June 7, 2010.
5. Monroe County recognizes the need for businesses on US 1 to have greater visibility during the current economic conditions.
6. The Monroe County Department of Planning and Environmental Resources is working with the Florida Department of Transportation (FDOT) to develop wayfinding signage regulations that would address the needs of the business community while eliminating the need for A-frame signs.
7. The provision for A-frame signs as approved in Ordinance No. 031-2009 expires on June 7, 2010.
8. The provisions of this ordinance are consistent with the Monroe County Comprehensive Plan and the Principals for Guiding Development in the Florida Keys Area of Critical State Concern.

9. The Monroe County Planning Commission held a duly advertised public hearing on April 28, 2010 and recommended approval to the Board of County Commissioners.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF MONROE COUNTY, FLORIDA:

Proposed text changes are presented in ~~striketrough~~ to indicate deletions and underline to indicate additions.

Section 1. Section 142-4 is amended as follows:

* * * * *

(3) Signs in commercial areas.

Sign allowances in commercial areas (AD, CFA, CFS, DR, I, MF, MI, MU, RV, SC, UC) shall be calculated based on the amount of property frontage and business frontage as follows:

- d. *A-frame signs (i.e. Sandwich board signs).* Through ~~June 7, 2010~~, June 7, 2011, every nonresidential developed parcel of land boarding on US 1 shall be allowed A-frame signs, as indicated in the following table:

<i>Street Frontage (Linear feet)</i>	Maximum Number of Signs*
1' to 75'	1
76' to 150'	2
151' to 225'	3
226' to 300'	4
Over 300'	5

* No business shall be allowed more than one sign.

A-frame signs may only be permitted provided the following standards are met:

1. The sign is no greater than three (3) feet in width and no greater than four (4) feet in height, exclusive of legs that can be no more than six (6) inches in height;
2. The sign is of A-frame-type construction, with only two (2) sign faces that are joined at the top;
3. Each sign face is no more than twelve (12) square feet in area;
4. The sign is portable and not permanently affixed to the ground;
5. The sign is located on a private parcel of land and identifies a business on that same private parcel of land;
6. The sign shall not be located on a public right-of-way, or walkway.
7. The sign shall only identify a lawfully-established business name(s) and/or other information directly related to that business;
8. The sign shall not be located in a clear sight triangle;

9. The sign shall not be illuminated or electric and shall not have any electric devices attached thereto;
10. The sign shall only be displayed during the business hours of the business it identifies and shall be stored indoors during non-business hours.
11. The sign shall be stored indoors during tropical storm/hurricane watches and warnings and other severe weather advisories; and
12. The building permit number shall be permanently affixed to the sign or sign structure in such a manner as to be plainly visible from grade.

Section 2. Severability

If any section, subsection, sentence, clause, item, change or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. Conflicting Provisions

All ordinances or parts of ordinance in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4. Transmittal

This ordinance shall be transmitted by the Planning and Environmental Resources Department to the Florida Department of Community Affairs to determine the consistency of this ordinance with the Florida Statutes and as required by F.S. 389.05(6) and (11).

Section 5. Codification

The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition to amendment thereto, and shall be appropriately renumbered to conform to the conform making system of the Code.

Section 6. Filing

This ordinance shall be filed in the Office of the Secretary of State of the State of Florida, but shall not become effective until a notice is issued by the Department of Community Affairs or Administration Commission approving the ordinance.

Section 7. Effective Date

This ordinance shall become effective as provided by law and stated above.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting held on the day of , 2009.

Mayor Sylvia Murphy	_____
Mayor Pro Tem Heather Carruthers	_____
Commissioner George Neugent	_____
Commissioner Kim Wigington	_____
Commissioner Mario Di Gennaro	_____

BOARD OF COUNTY COMMISSIONERS OF
MONROE COUNTY, FLORIDA

BY _____
Mayor Sylvia Murphy

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

DEPUTY CLERK